



LAFCO - San Luis Obispo - Local Agency Formation Commission  
SLO LAFCO - Serving the Area of San Luis Obispo County

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**TO: MEMBERS, FORMATION COMMISSION**

**FROM: DAVID CHURCH, EXECUTIVE OFFICER (DC)**

**DATE: AUGUST 17, 2017**

**SUBJECT: AMENDMENT TO THE AGREEMENT WITH LEGAL COUNSEL**

**Recommendation.** It is respectfully recommended that the Commission review and direct the Executive Officer to sign the attached amendment to the agreement with Mr. Ray Biering, Legal Counsel.

**Summary.** The attached amendment amends the agreement with legal counsel and increases the retainer to \$18,000 per year. In fiscal year 2016-17, the actual annual cost is \$13,750. This cost has not increased over a 10-year period. Mr. Biering has provided legal services on a retainer basis for that cost no matter what the work load has been over those years. It is a typical business practice for law firms to increase rates at least based on a consumer price index. In this case Mr. Ray Biering who has been LAFCO legal counsel for over 20 years and has provided excellent services. This expenditure was approved by the Commission in this fiscal year 2017-18 budget.

**AMENDMENT TO CONTRACT FOR SERVICES  
BETWEEN SAN LUIS OBISPO LAFCO LOCAL AGENCY FORMATION  
COMMISSION AND RAYMOND BIERING**

This Amendment is entered into by and between the San Luis Obispo Local Agency Formation Commission ("LAFCO"), represented by the Executive Officer, and Ray Biering ("Contractor") on the 1<sup>st</sup> day of July, 2017.

A. The following provisions of the Contract between LAFCO and Contractor are hereby amended as follows:

4. **Compensation.** For General Legal Services Attorney shall be paid a retainer of \$18,000.00 per fiscal year, payable monthly or at such other intervals as the parties agree. The parties shall thereafter adjust the annual retainer based upon LAFCO's demonstrated needs in light of the prior year's legal services and based upon an amount to be budgeted in the applicable fiscal year budget.

B. In all other respects, the remaining terms and conditions of the Contract shall remain in full force and effect.

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RAY BIERING, Contractor

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DAVID CHURCH, Executive Officer

San Luis Obispo Local Agency Formation Commission